



TUL2BUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/632,780 Confirmation No.: 3659
Applicant : M. Philipp
Filed : August 1, 2003
TC/A.U. : 1645
Examiner : R. Zeman
Customer No. : 00270
Title : SURFACE ANTIGENS AND PROTEINS USEFUL IN
COMPOSITIONS FOR THE DIAGNOSIS AND PREVENTION
OF LYME DISEASE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This paper is in timely response to the Office Action dated April 2, 2004. Please enter the enclosed amendments and following remarks.

Specification Amendments are set forth on the attached Second Preliminary Amendment and substitute specification.

Remarks/Arguments are set forth on page 2 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: April 14, 2004
Signature Kelly A. Karstaedt
Name Kelly A. Karstaedt

REMARKS/ARGUMENTS

In the outstanding Office Action the Examiner asserted that the Preliminary Amendment, enclosing a marked-up version of the specification pursuant to 37 CFR 1.125, did not comply with 37 CFR 1.121 (b.1.iii).

In an effort to comply with the requirements of 37 CFR 1.121 (b.1.iii), Applicant has forwarded a Second Preliminary Amendment, marked-up specification, and a clean copy of the specification. Applicant notes that material added is identified by underlining and material deleted is identified by strikeout. Further, the claims as set forth in the substitute specification comply with 37 CFR 1.121 (c).

Applicant respectfully requests that the Examiner consider the Second Preliminary Amendment and revised "Marked Up" and "Clean" versions of the application using underlining to show new matter.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,

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SECOND PRELIMINARY AMENDMENT

Sir:

Applicant and the undersigned attorney herewith submit a "Clean Copy" of the specification which is provided for publication purposes of the above-identified application as required under 37 CFR § 1.215 (a).

Remarks/Arguments are set forth on page 2 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: April 14, 2004
Signature Kelly A. Karstaedt
Name Kelly A. Karstaedt



PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

113

Application Number

10/632,780

Filing Date

August 1, 2003

First Named Inventor

M. Philipp

Art Unit

1645

Examiner Name

R. Zeman

Attorney Docket Number

TUL2BUSA

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Response to Missing Parts/
Incomplete ApplicationResponse to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

Remarks

Customer No. 00270

After Allowance communication
to Technology Center (TC)Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please
Identify below):

54 pp. Specification with Markings

54 pp. Specification without Markings

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual nameHOWSON AND HOWSON
Mary E. Bak

Signature

Mary E. Bak

Date

April 14, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Kelly A. Karstaedt

Signature

Kelly A. Karstaedt

Date

April 14, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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